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December 15, 2005

Via facsimile (916) 574-1885

California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Re: P. G. & E. Pipeline 57C
Reliability Project
(State Lease W26107)

Dear Sir:

I serve as Secretary and Counsel to both Reclamation District No. 2038 (Lower Jones Tract) and Reclamation District No. 2024 (Orwood and Palm Tracts).

The proposed alignment shown in your notice for Line 57C does not provide for crossing perpendicular to the levee on RD 2038 at what is referred to as Empire Cut and on RD 2024 at Old River. The Reclamation Districts will not issue permits for levee crossings which are not perpendicular. If the alignment for the pipeline from McDonald to Lower Jones Tract was shifted to the east, a perpendicular crossing of the levees on RD 2030 and RD 2038 could be accomplished. As to the Old River crossing from Bacon Island to Palm Tract, a counterclockwise rotation would provide for perpendicular crossings. Your review should include an alternative alignment that will provide for perpendicular levee crossings. This concern for perpendicular crossings was discussed with representatives of the applicant but apparently lost in the process.

2-1

For the RD 2024 levee crossing at Palm Tract, abandonment and removal of unused pipelines will also be a requirement. Each pipeline levee crossing introduces additional risk of levee failure and possible additional seepage which could lead to levee failure. Your environmental review should include the work related to abandonment of either or both pipeline 57A and 57B at the RD 2024 levee. Abandonment can be expected to include removal and related backfilling of the portion within the levee extending at least 200 feet landward and waterward of the centerline of the levee.

2-2

The requirement for initial pipeline installation and maintenance with a minimum burial beneath the invert of Reclamation District maintained drainage ditches and canals can be


2-3

expected to be at least six (6) feet.

↑ 2-3
↓ (con't.)

Hopefully this will assist you in scoping your environmental review.

Yours very truly,



DANTE JOHN NOMEILLINI

DJN:ju

cc: Trustees
Thomas J. Rosten
Christopher H. Neudeck
Steve Sinnock